

REMARKS

Claim 1 has been amended to recite a master batch being produced using the recited high shear mixer. Claim 13 has been amended to incorporate the subject matter of Claim 15. Claim 15 has been canceled. Upon entry of this Amendment, which is respectfully requested, Claims 1, 2 and 5-14 will be pending.

Response to Claim Rejections Under § 103

I. Claims 1, 2 and 5-12 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent Application Publication No. 2003/0088006 to Yanagisawa et al. Applicants respectfully traverse.

The present claims relate to a method for producing a rubber master batch comprising mixing a natural rubber latex with a slurry solution of a filler previously dispersed into a liquid, characterized in that a high shear mixer comprising a rotor and a stator portion and having a shear speed of not less than 2000/s is used in the mixing of the natural rubber latex and the slurry solution. Thus, the present method is conducted at a temperature under 100°C since an aqueous solution (i.e., “latex”) is used. Further, a goal of the present invention is to improve filler dispersion.

Yanagisawa discloses, at paragraph [0036], that a high shear mixer of rotor-stator type is used for making a filler slurry.

As demonstrated in the attached Rule 132 Declaration by Mr. Nishiura, the use of a high shear mixer in the mixing step of the natural rubber latex and the filler slurry attains superior homogeneity as compared to a mixture obtained whereby a high shear mixer is used to prepare the filler slurry only. One skilled in the art would not expect the result, i.e., improved homogeneity, based on Yanagisawa.

Thus, Yanagisawa fails to render obvious the present claims. Accordingly, withdrawal of the rejection is respectfully requested.

II. Claims 2, 8-11 and 13-15 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Yanagisawa in view of U.S. Patent Application Publication No. 2002/0111413 to Lopez-Serrano Ramos et al. Applicants respectfully traverse.

The present claims relate to a method for producing a rubber master batch comprising a step of mixing a natural rubber latex with a slurry solution of a filler previously dispersed into a liquid, characterized in that the natural rubber latex and the slurry solution are substantially simultaneously charged into a static mixer and mixed with the static mixer.

Lopez discloses that a rubber solution and a slurry solution are mixed with a static mixer. However, Lopez fails to disclose or suggest that the natural rubber latex and the filler slurry are simultaneously charged into the static mixer and mixed.

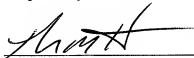
As demonstrated in the attached Rule 132 Declaration, the simultaneous injection of natural rubber latex and a filler slurry into a static mixer attains superior homogeneity as compared to a mixture which is prepared by pre-mixing the natural rubber latex and the filler slurry prior to charging the static mixer. One skilled in the art would not expect the result, i.e., improved homogeneity, based on Yanagisawa and Lopez.

Thus, Yanagisawa and Lopez fail to render obvious the present claims. Accordingly, withdrawal of the rejection is respectfully requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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